

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
EUREKA DIVISION

LAURIE SUZANNE COLE

No. CV 1:13-CV-03689-NJV

Plaintiff,

v.

**ORDER REQUESTING FURTHER  
BRIEFING.**

CAROLYN W. COLVIN, ACTING  
COMMISSIONER OF SOCIAL SECURITY

Defendant

**INTRODUCTION**

On February 11, 2014 Plaintiff filed her Motion for Summary Judgement. On April 10, 2014 Defendant filed her Cross-Motion for Summary Judgment and opposition. Plaintiff filed her reply on April 20, 2014.

The Court has reviewed the parties' submissions and requests further briefing regarding the following issues:

1. Plaintiff attempted several times to supplement the record. Specifically, Plaintiff provided to the Administrative Law Judge ("ALJ") the names and contact information of six doctors she had seen. (AR 285, 286). The AR only includes records from one doctor on that list of six. (AR 313-314). What reasonable efforts did the ALJ or the Social Security Administration ("SSA") take to acquire the medical records of the other five listed doctors?
2. It appears that Plaintiff was not able to access her electronic records to determine what records she needed to supplement. Plaintiff mentioned this problem to the ALJ. (AR 282). What efforts did the ALJ or SSA take to assist Plaintiff in accessing her electronic records in her attempt to supplement the record?

- 1           3.       If there is no evidence that the ALJ attempted to contact the other physicians Plaintiff  
2               listed and/or no evidence that the ALJ assisted Plaintiff in accessing her records, why  
3               should the Court not remand this case pursuant to *Brown v. Heckler*, 713 F. 2d 441  
4               (9th Cir. 1983) (remanding case for a new hearing because the ALJ did not fully and  
5               fairly develop the record)?

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7           Defendant shall provide a declaration addressing these issues no later than two weeks from  
8           the date of this order. Plaintiff may respond one week thereafter.

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10       Dated: June 25, 2014

